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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/034,001	12/26/2001	Jerry Mizell	14441RRUS01U	1838
7590	11/16/2005		EXAMINER	
James A. Harrison P.O. Box 670007 Dallas, TX 75367			PHUNKULH, BOB A	
			ART UNIT	PAPER NUMBER
			2661	

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/034,001		Applicant(s) MIZELL ET AL.	
	Examiner Bob A. Phunkulh		Art Unit 2661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claims 5, 8 are objected to because of the following informalities: a claim can't depend on itself. For purpose of examination, the examiner regards claim 5 depends on claim 4, and claim 8 depends on claim 7. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, it is not clear what it meant by "transmitting, at the push server, . . . to the push server" as cited in the claim i.e. the claimed subject matter should be correct to "transmitting, at the DNS, the . . . to the push server."

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

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only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 16 are rejected under 35 U.S.C. 102(e) as being anticipated by

Dorenbosch et al. (US 2002/0138622 A1), hereinafter Dorenbosch.

Regarding claim 1, A method in a network for wireless communications for pushing data through a data packet network utilizing a dynamic addressing scheme, comprising:

transmitting, from a push server to a DNS, a look up signal for a specified domain name (the push server initiates the session by sending a query message to the DNS, see paragraph 0033);

transmitting, at the DNS, the reserved dynamic IP address to the push server (responsive to the query message, the DNS transmit the IP address of the mobile station to the push server, see paragraph 0033);

and activating a context through the data packet network (sent the one or more packets to the mobile device using the assigned address, see paragraph 0033).

Regarding claim 16, Dorenbosch discloses a domain name server (DSN server 111), comprising:

circuitry for receiving a domain name lookup request from a push server to determine an IP address that corresponds to a received domain name (the server 111 receives a query signal from a push server, see paragraph 0033); and

circuitry for transmitting a request to a DHCP server to prompt it to temporarily reserve a dynamic IP address for delivery of push data to a mobile terminal (the server,

also function as DHCP, includes a database for allocating IP address for the mobile devices, see paragraphs 0018 and 0020).

Claims 9, 12-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Viola et al. (US 6,961,322), hereinafter Viola.

Regarding claims 9 and 12-13, Viola discloses a method in a Gateway GPRS Support Node for pushing data through a data packet network utilizing a dynamic addressing scheme, comprising:

receiving a reserved dynamic IP address and push data from push server (receiving IP address query from the applicant server 40 at the GGSN 20, see col. 1 lines 51 to col. 2 line 14);

transmitting a request for ID information to a DHCP server relating to the reserved dynamic IP address (the GGSN 20 transmit a request in response to the address query from the applicant server 40, see col. 1 lines 51 to col. 2 line 14);

receiving the requested ID information (see col. 1 lines 51 to col. 2 line 14); and
activating a context through the data packet network so that the push data may be transmitted to its destination having the reserved dynamic IP address (col. 3 lines 22-29).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-8, 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dorenbosch in view of Viola.

Regarding claims 2-3, 7, 17-18, Dorenbosch fails explicitly disclose transmitting a reservation signal from the DNS to a DHCP server to prompt the DHCP to reserve a dynamic IP address for a mobile terminal that corresponds to the specified domain name.

Viola, on the other hand, discloses transmitting the transmitting a reservation signal from the DNS to a DHCP server to prompt the DHCP to reserve a dynamic IP address for a mobile terminal that corresponds to the specified domain name (see figure 1).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made implement the teaching of Viola in the system taught by Dorenbosch in order to provides the network with ability to dynamically assign the IP address to the requesting users i.e. mobile users.

Regarding claim 4, Dorenbosch discloses transmitting the reserved dynamic IP address from the DNS to the push server after receiving a signal requesting that a dynamic IP address be reserved (the DNS server transmitting the IP address to the push server, see paragraph 0033).

Regarding claim 5, Dorenbosch discloses the received signal requesting that a dynamic IP address be reserved is in the form of a DNS lookup request signal (in the form of a query, see paragraph 0033).

Regarding claim 6, Dorenbosch discloses activating a context includes the step, in a GGSN, of receiving push data for a mobile terminal and also receiving the reserved dynamic IP address from the push server (the GGSN 121 receives data from both mobile terminal 117 via link 127 and push server 103, see figure 1).

Regarding claim 8, Dorenbosch discloses the transmitting the request to an HLR (119) to identify a serving GPRS support node (GGSN 121) that is presently serving the mobile terminal (see figure 1).

Claims 10-11, 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Viola in view of Dorenbosch.

Regarding claims 10-11, 14-15, Viola fails to explicitly disclose transmitting a request to an HLR to identify a serving GPRS support node that is presently serving the mobile terminal for which the reserved dynamic IP address was reserved and to which the requested ID information corresponds.

Dorenbosch, on the other hand, discloses the transmitting the request to an HLR (119) to identify a serving GPRS support node (GGSN 121) that is presently serving the mobile terminal (see figure 1).

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Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made includes the HLR of Dorenbosh in the system taught by Viola in order to the service provider with capability to verify/identify the requesting user.

Conclusion

Any response to this action should be mailed to:

The following address mail to be delivered by the United States Postal Service (USPS) only:

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(703) 872-9306, (for formal communications intended for entry)

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Arlington, VA 22202.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Bob A. Phunkulh** whose telephone number is **(571)**

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272-3083. The examiner can normally be reached on Monday-Tuesday from 8:00 A.M. to 5:00 P.M. (first week of the bi-week) and Monday-Friday (for second week of the bi-week).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor **Chau Nguyen**, can be reach on **(571) 272-3126**. The fax phone number for this group is **(571) 273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Bob A. Phunkulh
Primary Examiner
TC 2600
Art Unit 2661
November 13, 2005